

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA

PRISONER COMPLAINT
[FOR INMATE ACTION] UNDER 42 U.S.C. § 1983

U.S. DISTRICT COURT
SOU. DIST. ALA.
FILED IN CLERK'S OFFICE

FEB - 6 2008

CHARLES R. DIARD, JR.
CLERK

ANTHONY PICKETT, PRO-S-E

Name under which you were convicted

BOOKING NO. 169981

Your prison number

CIVIL ACTION NO. 08-6033-WS-B

(To be supplied by Clerk of Court)

vs.

① MONTGOMERY COUNTY DETENTION FACILITY
D.T. MARSHALL, SHERIFF ② GINA M. SAVAGE, DIRECTOR OF DETENTION
Name of Defendant(s) ③ JAMES, ET AL.
250 SOUTH McDONOUGH ST.
MONTGOMERY, ALABAMA 36104
Place of Confinement and Address

INSTRUCTIONS - READ CAREFULLY

A. Complaint Form. You must file your original complaint and a copy for each named Defendant. Your complaint must be clearly handwritten or typewritten. Do not use the back of a page. Your complaint must be signed by you; no notary is required. Any false statement of material fact may serve as the basis for prosecution for perjury.

B. Proper Court. Your complaint can only be brought in this Court if a defendant is located in the Southern District of Alabama and the rest of the defendants are located in Alabama or if your claim arose in this district. The Southern District of Alabama is comprised of the following counties: Baldwin, Clarke, Choctaw, Conecuh, Dallas, Escambia, Hale, Marengo, Mobile, Monroe, Perry, Washington, and Wilcox.

C. Separate Case. It is necessary to file a separate complaint form for each claim unless the claims are related to the same incident or issue.

D. Defendants. The persons who are listed as defendants in section III of the complaint are deemed by the Court to be the only defendants to this action. A defendant's present address must be provided. The Court is unable to serve process without the present address being furnished. The first defendant listed in section III should be the defendant that you list in the style of your case on your complaint form and motion to proceed without prepayment of fees and costs, if applicable, and any other pleading filed with the Court.

E. Pleading the Complaint. Your complaint should not contain legal arguments, case law or statutory citations. You are required to provide facts. Your complaint shall be a short and plain statement of your claim and shall provide fair notice to each defendant of the claim against that defendant and of the factual grounds upon which the claim rests.

F. Fees. This complaint cannot be properly filed unless it is accompanied by the \$350.00 filing fee or a motion to proceed without prepayment of fees if you are unable to afford the filing fee and other costs associated with prosecuting this action.

If you are unable to pay the filing fee and service costs for this action, you may ask the Court to let you proceed without prepayment of fees and costs. A blank motion for this purpose is included.

If you wish to proceed without prepayment of fees and costs, you must complete and mail to the Clerk of Court a copy of the "Motion to Proceed Without Prepayment of Fees" mailed to you with this complaint. This motion will be returned to you without action unless you have an authorized officer at the jail or prison complete the financial statement mailed to you with this form.

Even if the Court authorizes you to proceed without prepayment of filing fees, you are obligated to pay the full \$350.00. If you have the ability to pay a partial filing fee when your complaint is filed, you will be required to pay an amount, based on your assets, of up to the greater of 20 percent of your average monthly balance in your prison account or your average monthly balance for six months immediately preceding the filing of your complaint. Thereafter, your prison account will be garnished at the rate of 20 percent of your monthly income until the filing fee is paid.

G. Form of Pleadings. All pleadings and other papers filed must be on 8 1/2" x 11" paper, legibly handwritten or typewritten. Every document filed after the complaint must have the style of the case and the docket number. Every pleading must be signed by you and must contain your address and telephone number, if any; otherwise, the pleading will be stricken. See Fed. R. Civ. P. 11(a). No notary is required.

H. Certificate of Service. Each pleading filed after the complaint must contain a certificate of service indicating that the pleading has been served on the opposing parties and the date that it was sent. A pleading will be stricken if it does not contain this certificate of service. See Fed. R. Civ. P. 5.

I. Copies. This Court will not make copies of your complaint or pleadings unless you prepay the required per page copying fee.

J. Form of Pleadings. Do not write letters to the Court. All pleadings and documents should be sent to the Clerk of the Court, and not to a magistrate judge or a district judge.

K. No Evidence. No evidence shall be sent to the Court for filing or storing.

I. PREVIOUS LAWSUITS.

A. Have you filed any other lawsuits in state or federal court dealing with the same or similar facts involved in this action:

Yes () No (✓)

B. Have you filed other lawsuits in state or federal court relating to your imprisonment:

Yes () No (✓)

C. If your answer to questions A or B above is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using this same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: N/A

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county): N/A

3. Docket Number: N/A

4. Were you granted the opportunity to proceed without payment of filing fees?

Yes () No () N/A

5. Name of judge to whom the case was assigned: N/A

6. If your case is no longer pending and has been dismissed, state the reason given by the Court as to why your case was dismissed, i.e., frivolous, malicious, failed to state a claim, defendants were immune, etc.

N/A

7. Approximate date of filing lawsuit: N/A

8. Approximate date of ruling by court: N/A

See ATTACHES
 There are 3 others pages
 of (G).

See CAMERAS-M.C.O.F.

II. YOUR PRESENT COMPLAINT.

MONTGOMERY COUNTY DETENTION FACILITY
250 South Mc DONOUGH ST
MONTGOMERY, ALABAMA 36104

A. Place or institution where action complained of occurred:

B. Date it occurred: 13 JAN. 2008 - The LAST 1st Degree Theft OF Property, happen ON 13 JAN, 2008 - NOT 1/12/08 [MISTAKE OF LAWSUIT]

C. Is there a prisoner grievance procedure in this institution?

UNKNOWN

D. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes (☒) No ()

E. If your answer is YES:

See CAMERAS-M.C.O.F.

1. What steps did you take?

UNKNOWN, [THIS HAVE HAPPEN 10 TO 12 TIMES]

2. What was the result?

UNKNOWN [THIS HAVE HAPPEN 10 TO 12 TIMES]

F. If your answer is NO, explain why not:

N/A

G. Your claim (briefly explain your claim: what, when, where, who; do not cite cases; you may, without leave of Court, add up to five (5) additional pages if necessary):

NOTE - See ORIGINAL LAWSUIT FILE ON 13 JAN. 2008

NOTE: [The LAST 1st Theft OF Property happen ON
Sunday 13 JAN 2008] [MISTAKE Theft occur 1/12/08 ON ORIGINAL LAWSUIT.]
2nd SHIFT. TIME 3:00 p.m. PLACE 3C-6 - M.C.O.F.
MONT. AL. EVERYBODIES INVOLVE HAVE ^①Drugs
within the body ^②, injecting Heroin ^③, Herpes ^④, AIDS
^⑤ CRAZY checks ^⑥ Murders ^⑦ Bleeding Profusely ^⑧ Profusely
CRAZY ^⑨ Dead: Shot with a gun twice - two different
times. ^⑩ Motion For Drugs tests, by the 4 United
States Constitution Amendment ^⑪ Jury trial, by the
6, 7, United States Constitution Amendments.]

There are 3 others pages of (G)
 [See ATTACHES.]

1 OF 4

(G)

(G) Your Claim (briefly explain your claim; what, when, where, who; do not cite cases; you may, without leave of Court, add up to five (5) additional pages if necessary); [ATTACH]

CONTINUE 2G

NOTE: see CAMERAS - M.C.D.F., MONT. AL.
All the 1st Degree Theft of Property, occur from
Dec. 2006 to 13 Jan. 2008. Around 10 to 12

1st Degree Theft of Property, occur by Employees
of Montgomery County Detention Facility, MONT. AL.
NOTE [ALL Employees of Montgomery County Detention
Facility, MONT. AL. have drugs within the body, (Refer Page 4).

NOTE: LAST 1st Degree Theft of Property occur on 13 Jan, 2008
by M.C.D.F., impersonating officers, (1) James (2) Smith, (3)
Johnson (4) Lockwood (5) William (6) BLAIR, (7) FRANKLIN (8) O.T. Marshall
Sheriff, (9) Gina M. Savage, Director of Detention, ALL others
employees who took part in the 1st Degree Theft of Property,

[Over Million Dollars of Law work] WAS [stolen] AND
6,7, hundred Dollars of canteen store items were [stolen]

From [Swanson services Corporation, Birmingham service
Center for Montgomery, County, AL]. [ON

25 June 2007, Law works, over million Dollars WAS
[stolen] by, Montgomery County Detention Facility (2 of 4 (G))

Ⓒ Your claim (briefly) explain your claim: what when, where, who, do not cite cases: you may, without leave of court, add up to five (5) additional pages if necessary:

[ATTACHS]

CONTINUE 36

① PARKS or Parker ② Lewis ③ Smith ④ Kendrick ⑤ Tolliver
 ⑥ James ⑦ Townson ⑧ Other John Ows, et. al. ⑨ D. T. Marshall
Sheriff, ⑩ Gina M. Savage, Director of Detention. [Still
 nothing have been Return]. [Pro-se Anthony Pickett did
 not buy 6 to 7 hundred DOLLARS OF Canteen/store
 items, And tell Anyone to put over A million of
 DOLLARS OF Legal works in his property]. [Every-
 thing was stolen]. Pro-se Anthony Pickett is representing
 himself - [CC-06-1068 IN the COURT OF CRIMINAL APPEALS
 OF ALABAMA, Anthony Pickett Appellant, V. State of
 ALABAMA Appellee. ON Appeal From the Circuit
 Court of Montgomery County (CC-06-1068)]

1. United States District Court, Washing. D.C.
2. CALL/write United States Attorney General
Honorable Mukasey, new United States Attorney
General, took over job from Former U.S. Attorney
General, Alberto Gonzales,
- ③ CONGRESSIONALS Already are File
U.S. SENATE And House Judiciary Committee 3 of 4 (C)

This is Cruel And UNUSUAL Punishment, violation of the
8 United States Constitution Amendments. THIS are also
illegal search and seizures violations of the 4 United
States Constitution Amendment. [1st Degree Theft OF
Property], also violated the 1, 4, 5, 6, 7 & 14 with 15 United
States Constitution Amendments and the entire
United States Constitution and ALABAMA Constitution.

NOTE: THE ORIGINAL Lawsuit File on
13 JAN 2008, have to be use, everything File. by
the 6, 7, 14 with 15 United States Constitutional
Amendments, to this COURT by, A SONJA F. BIVINS
United States MAGISTRATE JUDGE.

NOTE: THE COURT, have to CONTACT
SWANSON SERVICES CORPORATION BIRMINGHAM SERVICES
CENTER FOR MONTGOMERY COUNTY, AL [Receipt is
in envelope.] See CAMERAS M.C.D.F.

(G) CONTINUE 4G END.

Your claim (briefly explain your claim: what, when, where,
who: do not cite cases: you may, without leave of
Court, Add up to Five (5) Additional Pages
if necessary);

[ATTACHS]

4 of 4 G

NOTE (1) M.C.D.F., MONT. HLL STILL Refuse to give me
a Private cell. Pro-se Anthony Pickett is the only
Inmate [Drug Free] and is Pro-se in ALL his cases.

III. PARTIES.

A. Plaintiff (Your name/AIS):

Your present address:

Pro-se ANTHONY PICKETT Book No. 69981
M.C.D.F. BOOKING NO. 69981, P.O. Box 4595
MONTGOMERY ALABAMA 36103

B. Defendant(s):

Gina M.

Director of

1. Defendant (full name)

SAVAGE

is employed as

Detention at

M.C.D.F.

His/her present address is

M.C.D.F. 250 South McDONOUGH ST
MONTGOMERY ALABAMA 36104

(a) Claim against this defendant:

with Drugs within the body

Let Employees M.C.D.F. steal

OVER MILLION DOLLARS OF LEGAL WORKS AND 6 to 7 hundred
OF Canteen / store bought items,

(b) Supporting facts (Include date/location of incident):

Place 3C-6 / others
Place 3

See CAMERAS M.C.D.F. 25 June 2007, 13 Jan. 2008
14 August 2007 AND Dec. 2006 to 13 Jan. 2008

These 1st Degree theft of Property happen 10 to 12 times,
14 Sept. 2007

2. Defendant (full name)

D.T. Marshall

is employed as

Sheriff

at M.C.D.F. MONT. ALABAMA

M.C.D.F. 250 South McDONOUGH ST
MONTGOMERY ALABAMA 36104

His/her present address is

MONTGOMERY ALABAMA 36104

(a) Claim against this defendant:

with Drugs within the body

Let Employees M.C.D.F. steal over million
DOLLARS OF LEGAL WORKS AND 6 to 7 hundred Canteen / store
bought items.

(b) Supporting facts (Include date/location of incident):

Place 3C-6 / others
Places

See CAMERAS M.C.D.F. 25 June 2007, 13 Jan. 2008
14 August 2007 AND From Dec. 2006 to 13 Jan. 2008

These 1st Degree theft of Property happen 10 to 12 times.
14 Sept. 2007

3. Defendant (full name)

JAMES/PARKS/TOLLIVER

is employed as

CORRECTIONAL OFFICERS.

at M.C.D.F. MONTGOMERY, ALABAMA

M.C.D.F. 250 South McDONOUGH ST.
MONTGOMERY, ALABAMA 36104

His/her present address is

MONTGOMERY, ALABAMA 36104

NOTE: Pro-se Anthony Pickens already have been Giving Rights
with others drugs within the body inmates inside my cell.
Need private cell.
 (a) Claim against this defendant: 1st Degree theft of Property
10 to 12 times at M.C.D.F. with drugs within the body.

(b) Supporting facts (Include date/location of incident):

Place 3C-6 / others places M.C.D.F., see CAMERAS FROM
Dec. 2006 to 13 JAN. 2008, 25 JUNE 2007 13 JAN. 2008
SWANSON SERVICES CORPORATION
BIRMINGHAM SERVICE CENTER
FOR MONTGOMERY COUNTY, AL

14 Sept. 2007

C. Additional Defendants: (If there are additional defendants, you may list them on separate pages using the same outline above).

ALL employees OF MONTGOMERY COUNTY
Detention Facility, MONT, AL,

IV. A. You must answer the following questions:

1. State the conviction(s) for which you are presently incarcerated: Community Notification

Act Pursuant to §15-20-24, Code of Alabama 1975. (NOT LAW)

2. When were you convicted? MONTGOMERY COUNTY Circuit Court, MONT. AL.

Judges Prices

1/10/07.
 3. What is the term of your sentence? 10 years, suspended, 3 years supervised
PROBATION.

4. When did you start serving this sentence? [Appeal] to Court of Criminal Appeals

CASE NUMBER

CR-06-0997
STATE OF ALABAMA

5. Do you have any other convictions which form the basis of a future sentence?

Yes () No (X)

If so, complete the following:

(a) Date of conviction: N/A

(b) Term of sentence: N/A

6. What is your expected end of sentence (E.O.S.) date? Feb. 23, 2010

B. If this present lawsuit concerns your criminal conviction or sentence, state whether your conviction has been:

<u>N/A</u>	Reversed	Conviction	yes () no ()	Sentence	yes () no ()	<u>MA</u>
<u>N/A</u>	Expunged	yes () no ()		yes () no ()		<u>N/A</u>
<u>N/A</u>	Invalidated	yes () no ()		yes () no ()		<u>N/A</u>

1/6/08 (3) Pro-se Anthony Pickett Life is in danger at M.C.D.F. with everybody's Employees and inmates with drugs within the body, injecting Heroin, AIDS, etc.

W/A Writ of habeas yes () no () corpus granted yes () no () N/A

NOTE → C. If you answered yes to any of the questions, state the Court or entity that relieved you from your conviction or sentence and the date: Double Jeopardy E.O.S. IN 2000. CASE CC-96-2249, CASE STILL ON APPEAL.

NOTE → The Alleged Victim could not come around Pro-se Anthony Pickett with drugs within the body, injecting Heroin, Herpes, AIDS, NO EVIDENCE.

V. State briefly exactly what you want the Court to do for you if you win (make no legal argument, cite no cases or statutes):

NOTE → Return Legal works over millions, store/canister items, pay damages, put Pro-se Anthony Pickett in Private cell.

Double Jeopardy - CRIMINAL charge - The Alleged victim too old, not less

VI. AFFIRMATION. - By my signature below, I swear or affirm under penalty of perjury that the than 12 facts set out in this complaint are true and correct. year old,
END.

25 JAN, 2008
Date

421-94-3592
Pro-se Anthony Pickett
(Signature of Plaintiff Under Penalty of Perjury)
MONTGOMERY COUNTY DETENTION FACILITY
Booking numbers 69981
Current Mailing Address
P.O. Box 4599
MONTGOMERY, AL. 36103
UNKNOWN
Telephone Number

PLAINTIFF SHALL IMMEDIATELY ADVISE THE COURT IN WRITING OF ANY CHANGE IN HIS ADDRESS, E.G., RELEASED, TRANSFERRED, MOVED, ETC. FAILURE TO NOTIFY THE COURT OF A NEW ADDRESS WILL RESULT IN THE DISMISSAL OF THIS ACTION FOR FAILURE TO PROSECUTE AND TO OBEY THE COURT'S ORDER.

SWANSON SERVICES CORPORATION
 BIRMINGHAM SERVICE CENTER
 for MONTGOMERY COUNTY, AL

filled by 26 delivered by _____
 *** Must show ID to receive Order***

Name PICKETT, ANTHONY
 Account # 69981 Receipt # B111784
 Order Slip # 93 - MGMR0625 Date 01/24/2008
 Location 3C-0
 Bal After Order \$0.00

Item	Qty	Description	Cost	Short
27	1	Indigent Package MGM	3.00	
Total			\$3.00	

I have checked and received this order with any
 and all credits/shortages as indicated herein.

Signed Anthony Pickett

Pro-SE Anthony Pickett
421-94-3552
M.C.D.F.

BOOKING NUMBER - 6981

P.O. BOX 4559

INMATE MAIL
MONTGOMERY ALABAMA

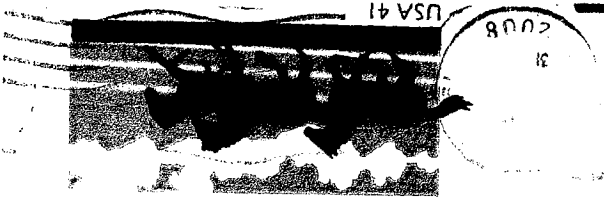
36103

-1 OF 3

CLERK
113 ST. JOSEPH STREET

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ALABAMA

36602+3606-937 36602



ANTHONY PICKETT
D.F.
94-3592

Number - 69981
IX 4599

mary, Alabama
36103

INMATE MAIL

36602+3605-99

MOBILE, ALABAMA 36603

113 ST. JOSEPH STREET
CLERIC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ALABAMA

